

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SECOND DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No. 4154 of 2004

Between:

S.Shyam Sundara Rao, S/o S.Yelamanda, Physical Director, A.P.Residential
School (BC) Boys, Hills Colony, Nagarjunasagar, Nalgonda District.

..... PETITIONER.

AND

1.The Secretary, A.P.Residential Educational Institutions Society,

III Floor, Gagan Vihar, M.J. Road, Hyderabad.

2.The Secretary, A.P.Tribal Welfare Residential Educational Institutions Society,
Masab Tank, Hyderabad.

.....RESPONDENTS.

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more particularly one in the nature of writ of mandamus declaring that the action of the respondents in allotting/assigning/transferring the petitioner from his present place vide Rc.No.19710/C3-1/99-2000 dated 21-4-2001 of the first respondent as arbitrary, illegal, unfair, unjust and violative of Articles 14, 21, 39A and 41 of the Constitution of India.

Counsel for the Petitioner: Mr.P.R.BALARAMI REDDY

Counsel for the Respondent No.1: Mr.VIJAYA BHASKAR MOOLA,

STANDING COUNSEL FOR APREIS.

Counsel for the Respondent No.2: Mr.M.CHANDRAIAH,
STANDING COUNSEL FOR
APTWREIS.

The Court made the following :

ORAL ORDER:

The petitioner questions the order of the first respondent dated 21-4-2001 in bifurcating the A.P. Residential Educational Institutions Society (APREIS) into two divisions viz., APREIS and A.P.Tribal Welfare Residential Educational Institutions Society (APTWREIS). While effecting the divisions, certain guidelines have been formulated to effect transfers of the staff working in the APREIS and questioning the said guidelines, writ petitions have been filed, and this Court in W.P.No.9184 of 2001 and batch dated 30-7-2003 dismissed the same, however, observing that it is open for the petitioners to make representations putting forth their grievances and the concerned authorities may consider their cases.

It is stated that the petitioner herein is working in the first respondent institution, but his services are sought to be transferred to the second respondent society by proceedings of the Secretary, APREIS, Hyderabad in Rc.No.9020/A4/1/2004, dated 25-2-2004. In this writ petition, the petitioner has not questioned the said order by which he was directed to be relieved from the first respondent society to the second respondent society.

It is, however, stated that similar order was questioned by one K.Ananthaiah in W.P.No.5996 of 2004 and this Court set aside the order and directed the respondents therein to dispose of the case after giving opportunity to the petitioner therein.

It is stated by the learned counsel for the respondents that the petitioner has already been relieved pursuant to the order dated 25-2-2004.

The writ petition is, therefore, dismissed reserving liberty to the petitioner to question the order dated 25-2-2004 passed by the first respondent. No order as to costs.

2nd August 2004. (**V.ESWARAIAH, J.**)

ARS

To

1.The Secretary, A.P.Residential Educational Institutions Society,

III Floor, Gagan Vihar, M.J. Road, Hyderabad.

2.The Secretary, A.P.Tribal Welfare Residential Educational Institutions Society,
Masab Tank, Hyderabad.

3.Two C.D. copies